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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,907	08/06/2003	Tsutomu Yoshimi	011350-315	7355
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			ART UNIT 2179	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/634,907

Applicant(s)

YOSHIMI ET AL.

Examiner

David Phantana-angkool

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/03/2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the following communications: Amendment filed on 10/03/2007.

This action is made final.

2. Claims 1-13 are pending claims.
3. Applicants amended claims 1, 5, 6, 7, 12, and 13.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1, 2, 5-7, 9, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taguchi, US#6,720,951 B2 in view of Taylor et al, US PG Pub# 2002/0196287 A1 (hereinafter Taylor).

As for independent claim 1:

Taguchi shows a data input device for displaying a group of key images on a display screen and entering data assigned to each of said key images, wherein an input designation area is designated on said display screen corresponding to a display area for each key image belonging to said group of key images the data input device comprising:

- a key image size modifying unit for modifying, a size of a first key image among said group of key images (Figure 5, "see # 22 'Call", Example 2, 5:45- 6:14);

While Taguchi teaches a key image layout modifying unit (Taguchi, Fig. 5), Taguchi does not specifically show that key image layout modifying unit will automatically modify said group of key images when modifying the size of said first key image. However in the same field of invention Taylor teaches automatically resizing a plurality region/zone(s), a "container" cell, by changing the size of the region/zone(s) based on the addition of another region/zone (See Taylor, Paras. 68, 79-81). Accordingly it would have been obvious to modify customizing the graphical user interface layout such as modifying the first key image as shown by Taguchi to incorporate resizing a plurality of region/zone(s) based on the size of the modified new region/zone, a "container" cell, as shown by Taylor, the motivation for the combining is to allow the system to display a plurality of regions as a result of modifying the first region (Taylor, Paras. 80-81). Thus rendering the following limitations as obvious:

- a key image layout modifying unit for automatically modifying a layout of said group of key images when modifying the size of said first key image (Figure 5 shows modifying the layout of the key images);
- a key image display modifying unit that reduces the size of a second key image among said group of key images when it becomes impossible to display all the key images belonging to said group of key images simultaneously on said display screen as a result of modifying the size of said first key image (Taguchi shows the size of the layout can be freely changed, 2:45-52, 6:48-52).

As for dependent claim 2:

Taguchi-Taylor suggest a data input device described in claim 1, wherein a touch panel is used (Taguchi,

3:64-66). The motivation for the combining is the same as disclosed above in claim 1.

As for independent claim 5:

Taguchi shows a data input method for a data input device for displaying a group of key images on a display screen and entering data assigned to said key images, wherein an input designation area is designated on said display screen corresponding to a display area for each key image belonging to said group of key images, entering data assigned to said key image, comprising:

- modifying a size of a first key image among said group of key images (Figure 5, "see # 22 'Call", Example 2, 5:45- 6:14);

While Taguchi teaches a key image layout modifying unit (Taguchi, Fig. 5), Taguchi does not specifically show that key image layout modifying unit will automatically modify said group of key images when modifying the size of said first key image. However in the same field of invention Taylor teaches automatically resizing a plurality region/zone(s), a "container" cell, by changing the size of the region/zone(s) based on the addition of another region/zone (See Taylor, Paras. 68, 79-81). Accordingly it would have been obvious to modify customizing the graphical user interface layout such as modifying the first key image as shown by Taguchi to incorporate resizing a plurality of region/zone(s) based on the size of the modified new region/zone, a "container" cell, as shown by Taylor, the motivation for the combining is to allow the system to display a plurality of regions as a result of modifying the first region (Taylor, Paras. 80-81). Thus rendering the following limitations as obvious:

- automatically step of modifying the layout of said group of key images when modifying the size of said first key image;
- reducing the size of a second key image among said group of key images when it becomes impossible to display all the key images belonging to said group of key images simultaneously on said display screen as a result of modifying the size of said first key image.

As for independent claim 6:

Claim 6 contains similar substantial subject matter as claimed in claim 5 and is respectfully rejected along the same rationale.

As for independent claim 7:

Taguchi shows a data input device for displaying a first group of key images on a display screen and entering data assigned to said key images, wherein an input designation area is designated on said display screen corresponding to a display area for each key image belonging to said first group of key images comprising:

- a key image size modifying unit for modifying a size of a first key image among said first group of key images (Figure 5, "see # 22 'Call", Example 2, 5:45- 6:14);

While Taguchi teaches a key image layout modifying unit (Taguchi, Fig. 5), Taguchi does not specifically show that key image layout modifying unit will automatically modify said group of key images when modifying the size of said first key image. However in the same field of invention Taylor teaches automatically resizing a plurality region/zone(s), a "container" cell, by changing the size of the region/zone(s) based on the addition of another region/zone (See Taylor, Paras. 68, 79-81). Accordingly it would have been obvious to modify customizing the graphical user interface layout such as modifying the first key image as shown by Taguchi to incorporate resizing a plurality of region/zone(s) based on the size of the modified new region/zone, a "container" cell, as shown by Taylor, the motivation for the combining is to allow the system to display a plurality of regions as a result of modifying the first region (Taylor, Paras. 80-81). Thus rendering the following limitations as obvious:

- a key image layout modifying unit for automatically modifying a layout of said first group of key images when modifying the size of said first key image;
- a key image display modifying unit for displaying a second key image from key images belonging to a second group of key images in place of the first group of key images when it becomes impossible to display all the key images belonging to said first group of key images simultaneously on said display screen as a result of modifying the size of the first key image.

As for dependent claim 9:

Taguchi-Taylor suggest data input device described in claim 7, wherein a touch panel is used (Taguchi, 3:64-66). The motivation for the combining is the same as disclosed above in claim 7.

As for independent claim 12:

Taguchi shows a data input method for a data input device for displaying a first group of key images on a display screen and when an input designation area is designated on said display screen corresponding to a display area for each key image belonging to said first group of key images, comprising:

- modifying the size of a first key image among said first group of key images (Fig. 5, "see# 22 'Call', Example 2, 5:45-6:14);

While Taguchi teaches a key image layout modifying unit (Taguchi, Fig. 5), Taguchi does not specifically show that key image layout modifying unit will automatically modify said group of key images when modifying the size of said first key image. However in the same field of invention Taylor teaches automatically resizing a plurality region/zone(s), a "container" cell, by changing the size of the region/zone(s) based on the addition of another region/zone (See Taylor, Paras. 68, 79-81). Accordingly it would have been obvious to modify customizing the graphical user interface layout such as modifying the first key image as shown by Taguchi to incorporate resizing a plurality of region/zone(s) based on the size of the modified new region/zone, a "container" cell, as shown by Taylor, the motivation for the combining is to allow the system to display a plurality of regions as a result of modifying the first region (Taylor, Paras. 80-81). Thus rendering the following limitations as obvious:

- automatically modifying a layout of said first group of key images with modifying the size of said first key image;
- a step of displaying a second key image from to key images belonging to a second group of key images in place of the first group of key images when it becomes impossible to display all the key images belonging to said first group of key images simultaneously on said display screen as a result of modifying the size of the first key image.

As for independent claim 13:

Claim 13 contains similar substantial subject matter as claimed in claim 12 and is respectfully rejected along the same rationale.

7. Claims 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Taguchi, US# 6,720,951 B2 in view of Taylor et al, US PG Pub# 2002/0196287 A1 (hereinafter Taylor) and in further view of Ausems et al., US PG Pub. # 2003/0013483 (hereinafter Ausems).

As for dependent claim 8:

Taguchi and Taylor do not specifically show a data input device described in claim 7 wherein said second key image is to select and designate the data to be entered either by means of scrolling or a pull-down. However it is well known in the art to display the key images by selecting and designating the data entered by means of scrolling or pull-down menu as shown by Ausems et al., US PG Pub. # 2003/0013483. The above limitation would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Taguchi-Taylor data input device with the well known implementation as shown by Ausems, thus allowing the user to select and designate the data by scrolling or pull-down menus of the data input device.

8. Claims 3, 4, 10 and 11 rejected under 35 U.S.C. 103(a) as being unpatentable over Taguchi, US# 6,720,951 B2 in view of Taylor et al, US PG Pub# 2002/0196287 A1 (hereinafter Taylor) and in further view of Czyszczewski et al, US# 6,980,312 B1 (hereinafter Czyszczewski).

As for dependent claims 3, 4:

Taguchi show a data input device for displaying a group of key images on a display screen. The user may modify the key images as shown in Figure 5. Taguchi and Taylor do not specifically show an image processing device comprising: at least two items selected from a group consisting of an image reading device for obtaining image data by reading document images, a printing device for printing the image data; and a transmitting device for transmitting the image data; and a data input device described in 1. In the same field of displaying key images to the user Czyszczewski teaches the above deficiencies as shown in Fig. 9A, see "copy/print, scan and email". Both Taguchi and Czyszczewski shows touch screen display unit and key layout for the user to select. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the customizable key layout displayed on a

display screen as shown by Taguchi and Taylor to incorporate the functionalities of Czyszczewski, thus allowing the user to control additional functions provided by Czyszczewski from the display screen.

As for dependent claims 10, 11:

Claims 10, 11 contain similar substantial subject matter as claimed in claims 3, 4 and are respectfully rejected along the same rationale.

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

The Examiner notes MPEP § 2144.01, that quotes In re Preda, 401 F.2d 825, 159 USPQ 342, 344 (CCPA 1968) as stating "in considering the disclosure of a reference, it is proper to take into account not only specific teachings of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom." Further MPEP 2123, states that "a reference may be relied upon for all that it would have reasonably suggested to one having ordinary skill the art, including nonpreferred embodiments. Merck & Co. v. Biocraft Laboratories, 874 F.2d 804, 10 USPQ2d 1843 (Fed. Cir.), cert. denied, 493 U.S. 975 (1989).

Response to Arguments

9. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Phantana-angkool whose telephone number is 571-272-2673. The examiner can normally be reached on M-F, 9:00-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DP


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SUPERVISORY PATENT EXAMINER